



February 18, 2005

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## HOUSE BILL No. 1386

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DIGEST OF HB 1386 (Updated February 16, 2005 8:29 pm - DI 44)

**Citations Affected:** IC 20-8.1.

**Synopsis:** Medication at school. Provides for medication possessed by a school for administration to a student to be released to the student's parent or an individual who is at least 18 years of age or sent home with the student, if the student's parent provides written permission.

**Effective:** July 1, 2005.

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### Porter, Behning

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January 13, 2005, read first time and referred to Committee on Education.  
February 8, 2005, amended, reported — Do Pass; referred to Committee on Ways and Means pursuant to Rule 127.  
February 17, 2005, reported — Do Pass.

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HB 1386—LS 6840/DI 109+



February 18, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1386

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-8.1-7-22 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 22. (a) This section  
3 does not apply to medication possessed by a student for  
4 self-administration under IC 20-8.1-5.1-7.5.

5 ~~(b) Except as provided in subsection (d); a school corporation may~~  
6 ~~not send home with a student medication that is possessed by a school~~  
7 ~~for administration during school hours or at school functions.~~

8 ~~(c)~~ **(b)** Medication that is possessed by a school for administration  
9 during school hours or at school functions for a student ~~in grades~~  
10 ~~kindergarten through grade 8~~ may be released ~~only~~ to:

11 (1) the student's parent; or

12 (2) an individual who is:

13 (A) at least eighteen (18) years of age; and

14 (B) designated in writing by the student's parent to receive the  
15 medication.

16 ~~(d)~~ **(c)** A school corporation may send home medication that is  
17 possessed by a school for administration during school hours or at

HB 1386—LS 6840/DI 109+



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- 1 school functions with a student in ~~grades 9 through 12~~ if the student's
- 2 parent provides written permission for the student to receive the
- 3 medication.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1386, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, strike lines 5 through 7.

Page 1, line 8, strike "(c)" and insert "**(b)**".

Page 1, line 9, strike "in grades".

Page 1, line 10, strike "kindergarten through grade 8".

Page 1, line 10, strike "only".

Page 1, line 16, strike "(d)" and insert "**(c)**".

Page 2, line 1, strike "in grades 9 through 12".

Page 2, delete lines 4 through 15.

and when so amended that said bill do pass.

(Reference is to HB 1386 as introduced.)

BEHNING, Chair

Committee Vote: yeas 11, nays 0.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1386, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

AYRES, Vice Chair

Committee Vote: yeas 15, nays 0.

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